



PTO/SB/30 (08-03)

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/762,347
Filing Date	July 13, 2001
First Named Inventor	Dell' Eva Marcello
Art Unit	1761
Examiner Name	Helen F. Pratt
Attorney Docket Number	(H) 99GU1341U

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

- Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☐ Other _____

b. ☒ Enclosed

i. ☐ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☒ Other Remarks and 1 month Extension Request
- Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other _____
- Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. _____

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other _____

b. ☐ Check in the amount of \$ _____ enclosed

c. ☒ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)	M. Robert Kestenbaum	Registration No. (Attorney / Agent)	20430
Signature	<i>M. Robert Kestenbaum</i>	Date	July 9, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print / Type)	M. Robert Kestenbaum	Date	July 9, 2004
Signature	<i>M. Robert Kestenbaum</i>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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M. ROBERT KESTENBAUM, LLC
PATENT AND TRADEMARK MATTERS

OFFICIAL

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Examiner Helen F. Pratt	M. Robert Kestenbaum
COMPANY:	DATE:
Commissioner for Patents	July 9, 2004
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
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PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
(703) 308-1978	(H) 99GU1341 USP
RE:	YOUR REFERENCE NUMBER:
RCE and Further Amendment After Final Action	09/762,347

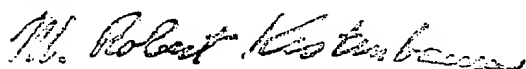
NOTES/COMMENTS:

Dear Examiner Pratt:

I am faxing this RCE and Further Amendment After Final Action (7 pages), in response to the Advisory Action mailed March 30, 2004, together with a PTO 2038 authorizing charging a credit card for the \$770 RCE Large Entity Fee and \$110 for a one month Large Entity extension fee totaling \$880.

Thank you for considering this submission.

Sincerely,

M. Robert Kestenbaum
Reg. No. 20,43011011 BERMUDA DUNES NE
ALBUQUERQUE, NEW MEXICO USA 87111
PHONE (505) 323-0771
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: US Patent Application 09/762,347
Filed July 13, 2001
Applicant: Del Eva Marcello
Examiner Helen F. Pratt
Art Unit 1761
Examiner's Phone (703) 308-1978
Examiner's Fax (703) 872-9306
Attorney Docket (H)99GU1341USP

OFFICIAL

Mail Stop -
Art Unit 1761
PO Box 1450
Commissioner for Patents
Alexandria, VA. 22313-1450

Further Amendment After Final Action

Dear Examiner Pratt:

This is a Further Amendment After Final Action in response to the Advisory
Action mailed March 30, 2004.

A complete set of the amended claims is included herewith.

US Patent Application 09/762,347
Applicant: Dell Eva Marcello
(H)99GU1341USP
07/06/04

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